

§ 400.735-6 Specific provisions of agency regulations governing special Government employees.

(a) Special Government employees of the agency shall adhere to the standards of conduct applicable to employees as set forth in this part and adopted under § 400.735-1, except 5 CFR 735.203(b).

(b) Special Government employees of the agency may teach, lecture, or write in a manner not inconsistent with 5 CFR 735.203(c).

(c) Pursuant to 5 CFR 735.305(b), the agency authorizes the same exceptions concerning gifts, entertainment, and favors for special Government employees as are authorized for employees by § 400.735-4.

§ 400.735-7 Statements of employment and financial interests.

(a) In addition to the employees required to submit statements of employment and financial interests under 5 CFR 735.403(a), employees in the following named positions shall submit statements of employment and financial interests:

- (1) Secretary;
- (2) Officer in Charge, U.S. Office;
- (3) Officer in Charge, European Office;
- (4) Chief Maintenance Division, European Office;
- (5) Chief Purchasing and Contracting Branch, European Office;
- (6) Officer in Charge, Mediterranean Office;
- (7) Superintendent, Manila American Cemetery.

(b) Each statement of employment and financial interests required by this section shall be submitted to:

American Battle Monuments Commission
2018 Munitions Building, Washington, DC
20360. Attention: Officer in Charge.

Statements shall be submitted in double sealed envelopes, and the inner envelope shall be annotated with the words: "Statement of Employment and Financial Interests—Attention: Officer in Charge."

(c) An employee who believes that his position has been improperly included in this section as one requiring the submission of a statement of employment and financial interests may ob-

tain a review of his complaint under the agency's grievance procedure.

§ 400.735-8 Supplementary statements.

Notwithstanding the filing of the annual supplementary statement required by 5 CFR 735.406, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18 U.S.C. or the regulations in this part or adopted under § 400.735-1.

PART 401—PROCEDURES

AUTHORITY: Sec. 3, 70 Stat. 640, 641; 5 U.S.C. 132 note, 36 U.S.C. 123-125; E.O. 6614, E.O. 9704, 11 FR 2675, 3 CFR 1949-53 Comp., p. 519, E.O. 10057, 10087, 14 FR 2585, 7287, 3 CFR 1949-1953 Comp., pp. 269, 285.

§ 401.1 Erection of war memorials outside continental limits of United States.

Federal Government agencies, American citizens, States, municipalities, or associations desiring to erect war memorials outside the continental limits of the United States should proceed as follows:

(a) Submit general idea of the memorial to the American Battle Monuments Commission, with a request for the tentative allocation of the site desired.

(b) When site is provisionally allocated, prepare and submit the design of the memorial, together with the inscription, for approval. The design of the memorial will then be referred, in accordance with law, by the Commission to the National Commission of Fine Arts for its approval.

(c) After a site is allocated and the design and inscription are approved, the American Battle Monuments Commission will, if the sponsors so desire, consult with the foreign government concerning the question of securing approval for the erection of the memorial.

(d) When the approval of the foreign government is obtained, the Commission will cooperate, if the sponsors so desire, in obtaining the ground and erection of the memorial. Such cooperation may include construction of

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the memorial by the Commission, using funds provided by the sponsors, in which case user charges will be made in accordance with general Government policy.

[35 FR 19666, Dec. 29, 1970]

PART 402—ERECTION OF WAR MEMORIALS IN FOREIGN COUNTRIES BY AMERICAN CITIZENS, STATES, MUNICIPALITIES, OR ASSOCIATIONS

AUTHORITY: Sec. 3, 70 Stat. 640, 641; 5 U.S.C. 132 note, 36 U.S.C. 123, 125; E.O. 6614, E.O. 9704, 11 FR 2675, 3 CFR 1943–1948 Comp., p. 519, E.O. 10057, 10087, 14 FR 2585, 7287, 3 CFR, 1949–1953 Comp., pp. 269, 285.

§ 402.1 Restrictions on erection.

(a) No administrative agency of the United States shall give assistance to American citizens, States, municipalities, or associations in erecting any war memorial outside the continental United States unless the plan has been approved in accordance with § 401.1 above.

(b) It is the opinion of the Commission that no battlefield memorial should be erected to any unit smaller than a division or comparable unit or to an individual, unless the services of such unit or individual clearly were of such distinguished character as to warrant a separate memorial.

(c) It is the opinion of the Commission that, as a general rule, memorials should be erected to organizations rather than to troops from a particular locality of the United States.

(d) The policy of the Commission is to approve plans for memorials in foreign countries only in cases in which the sponsors make adequate and permanent arrangements for their maintenance. If the sponsors so desire, the Commission will maintain such memorials, including those previously existing which it deems worthy of preservation, using funds provided by the sponsors; in such cases it will make user charges in accordance with general Government policy.

[35 FR 19666, Dec. 29, 1970]

36 CFR Ch. IV (7–1–97 Edition)

PART 403—ERECTION OF MEMORIAL MONUMENTS, BUILDINGS, AND HEADSTONES IN AMERICAN CEMETERIES LOCATED OUTSIDE THE UNITED STATES AND ITS TERRITORIES AND POSSESSIONS

AUTHORITY: Sec. 3, 70 Stat. 641; 36 U.S.C. 123; E.O. 6614, Feb. 26, 1934; E.O. 9704, 3 CFR, 1943–1948 Comp., 519; E.O. 10057, 10087, 3 CFR 1949–1953 Comp., pp. 269, 285.

§ 403.1 Restrictions on erection.

(a) No memorial monuments or buildings shall be placed in these cemeteries unless the design and site have been approved by the American Battle Monuments Commission. No steps toward the erection of any memorial monument or building in these cemeteries should be taken until the idea has first been approved by the American Battle Monuments Commission.

(b) There shall be no variation in the types of headstones officially adopted for use in American cemeteries located outside the United States and its Territories and possessions.

[13 FR 6812, Nov. 19, 1948, as amended at 23 FR 9780, Dec. 19, 1958]

PART 404—PROCEDURES AND GUIDELINES FOR COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT

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- 404.10 Maintenance of statistics.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 53 FR 120, Jan. 5, 1988, unless otherwise noted.

§ 404.1 Purpose.

These guidelines prescribe procedures to obtain information and records of the American Battle Monuments Commission under the Freedom of Information Act of 1986, 5 U.S.C. 552(a)(4)(A)(i). This act requires each agency to promulgate regulations that specify the